

MAY 2, 2016

A regular meeting of the Mayor and the City Council of O'Neill was held at the City Hall in said City on the 2nd day of May, 2016 at 7:30 P.M.

Present: Mayor Bill Price, City Attorney Boyd Strobe, City Clerk/Treasurer Nikki Schwanz, Council President Scott Menish and Council members; Susie Kramer, Tim Schneider, Beth Walsh, Terri Krysl and Don Baker. Absent: Tim Gleason and Vicki Cork.

Notice of this meeting was given in advance thereof according to Section 84-1408 of the Revised Statutes of Nebraska. Notice of the meeting was given to the Mayor and all members of the Council and a copy of the acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while convened meeting was open to the attendance of the public.

The meeting was called to order by Mayor Price.

Mayor Price informed the public of the location of the Open Meetings Act poster.

Moved by Baker, second by Schneider to waive the reading of the minutes of the April 4th and April 11th meetings and approve them as if read. Roll call vote as follows: All Ayes. Motion carried.

Moved by Kramer, second by Menish to open the Robert Musil Conditional Use Permit public hearing. Roll call vote as follows: All Ayes. Motion carried.

Robert Musil is requesting a conditional use permit to allow for storage units to be built in an Ag zoning district.

The Planning Commission approved the request as submitted.

No public comments were made.

Moved by Walsh, second by Menish to close the public hearing. Roll call vote as follows: All Ayes. Motion carried.

Moved by Schneider, second by Menish to approve the Musil Conditional Use Permit request as submitted. Roll call vote as follows: All Ayes. Motion carried.

Scott Poese presented a donation from Jim and Susan Wakefield of an electronic welcome sign at the Community Center. This sign is being donated in loving memory of Brady Wakefield. The Mayor and Council thanked the Wakefield family for their generous gift to the community.

Moved by Baker, second by Kramer to approve funds to be expended for partial installation of the sign and electrical hookup as well as monthly electricity costs for the sign. Roll call vote as follows: All Ayes. Motion carried.

Council member Walsh introduced Resolution No. 16-03, which is on file with the City Clerk.

RESOLUTION NO. 16-03

OF THE

CITY OF O'NEILL, NEBRASKA

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF O'NEILL, NEBRASKA, that:

Sec. 1. The City of O'Neill must be the entity to make the request and take official action in order to use Highways 20/275/281 for a Business Boosters Sidewalk Sales Event, and since the event is within the corporate limits of O'Neill, NE.

Sec. 2. As required by subsection (2) LB 589/NRS *39-1359, that the City accepts all duties set out in said subsection, and

Sec. 3. If a claim is made against the state, the City shall indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees that may arise as a result of the special event.

Sec. 4. The City of O'Neill approves and adopts a resolution as outlined above, for a Special Events activity – Business Boosters Sidewalk Sales Event on a portion of Highways 20, 281 and 275, within the corporate limits of the City of O'Neill, NE, to be held July 16, 2016, (Saturday) from 7:00 A.M. to 3:00 P.M, on Douglas Street from Third Street to Fifth Street and Fourth Street from Clay Street to Everett Street.

PASSED AND APPROVED this 2nd day of May, 2016.

WILLIAM T. PRICE, MAYOR

ATTEST:
(SEAL)

NIKKI SCHWANZ, CITY CLERK

Moved by Walsh, second by Krysl to adopt Resolution No. 16-03. Roll call vote as follows: All Ayes. Motion carried.

Council President Menish introduced Resolution No. 16-04, which is on file with the City Clerk.

OF THE

CITY OF O'NEILL, NEBRASKA

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF O'NEILL, NEBRASKA,
that:

Sec. 1. The boundaries, plans, specifications and estimates of costs as prepared by the City Engineers, Olsson Associates and filed with the City Clerk for the improvements to the following projects listed below consisting of concrete paving and street reconstruction and other necessary appurtenants are hereby approved.

7th Street Improvements

7th Street, from Grant Street to Hancock Street \$21,917.50

Concrete Replacement

7th & Tipperary Intersection \$41,676.80

Sec. 2. The Clerk is hereby authorized to advertise for bids for determined paving and asphalt installation.

PASSED AND APPROVED this 2nd day of May, 2016.

WILLIAM T. PRICE, MAYOR

ATTEST:

(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER

Moved by Menish, second by Krysl to adopt Resolution No. 16-04. Roll call vote as follows:
All Ayes. Motion carried.

Moved by Baker, second by Menish to allow the Chamber Ambassadors to research best options for projector screens for the community center as a donation. Roll call vote as follows: All Ayes. Motion carried.

Council member Kramer introduced Resolution No. 16-05, which is on file with the City Clerk.

RESOLUTION NO. 16-05

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF O'NEILL, NEBRASKA, as follows:

Section 1. That the following notes, in accordance with their option provisions, shall be called for payment on the date as set forth in the Designation of Call Date (as defined below), after which date interest on the notes will cease:

Bond Anticipation Notes, Series 2015, dated August 6, 2015 in the total principal amount of \$1,525,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amounts and bearing CUSIP numbers as follows:

Said notes (the "Notes") are subject to redemption at any time on or after November 4, 2015, at the principal amount thereof plus accrued interest to date fixed for redemption.

Section 2. The Notes are to be paid off by First National Bank of Omaha, Fremont, Nebraska, as paying agent and registrar.

Section 3. The Mayor, City Clerk or Treasurer of the City (each, an "Authorized Officer") are each individually hereby authorized to determine the call date for said Notes on behalf of the City and such determination, when made in writing (the "Designation of Call Date"), shall constitute the action of the City without further action of the Mayor and Council Members of the City. The Call Date may be set for June 8, 2016 or such other day as may be set out in the Designation of Call Date. In the event the Designation of Call Date is not executed and delivered on or before August 15, 2016, the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council Members of the City and this resolution shall be of no further force and effect.

Section 4. A true copy of this resolution together with an executed Designation of Call Date (together, the "Call Documents") shall be filed with the Paying Agent, to effect the call of the Notes. Upon receipt of the Call Documents, the Paying Agent is hereby instructed to mail notice to each registered owner of the Notes not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the issuance of the Notes, and to take all other actions deemed necessary in connection with the redemption of the Notes.

PASSED AND APPROVED this 2nd day of May, 2016.

ATTEST: By William T. Price, Mayor

(S E A L)

Nikki Schwanz, City Clerk

Moved by Kramer, second by Baker to adopt Resolution No. 16-05. Roll call vote as follows: All Ayes. Motion carried.

Council member Schneider introduced Ordinance No. 1359, which is on file with the City Clerk.

City Attorney Strobe read Ordinance No. 1359 by title and number.

ORDINANCE NO. 1359

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2016, OF THE CITY OF O'NEILL, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION SIX HUNDRED THOUSAND DOLLARS (\$1,600,000) FOR THE PURPOSE OF PAYING OFF INTERIM FINANCING FOR THE COSTS OF STREET IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 2014-01; ACCEPTING THE STREET IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 2014-01; PRESCRIBING THE FORM OF SAID BONDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO MAKE ARRANGEMENTS FOR THE SALE OF THE BONDS AND TO DESIGNATE THE FINAL TERMS, RATES AND MATURITY SCHEDULE FOR SAID BONDS WITHIN STATED PARAMETERS; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Moved by Schneider, second by Walsh to introduce Ordinance No. 1359 and waive the three readings. Roll call vote as follows: All Ayes. Motion carried.

Moved by Menish, second by Kramer to adopt Ordinance No. 1359. Roll call vote as follows: All Ayes. Motion carried.

Moved by Menish, second by Kramer to approve advertising for hay bids. Roll call vote as follows: All Ayes. Motion carried.

Moved by Walsh, second by Kramer to approve the bills. Roll call vote as follows: Aye; Kramer, Schneider, Walsh, Krysl and Baker. Nay: None. Abstain: Menish. Absent: Gleason and Cork. Motion carried.

ALL FUNDS

Payroll, salary 104,110.34 Fed & FICA, tax 24,468.01

American Family, ins 670.68 Appera, su *

Bomgaars, su 399.30 Dana Cole, fees 11,250.00

Federated Insurance, ins 40,669.43 Metlife, ins 2,269.68
Nationwide, pension 5,399.81 NE Dept. of Revenue, tax 3,040.09
NPPD, util 15,082.67 NT&T, phone 744.30
SourceGas, util 1,457.79 Strobe & Gotschall, fees 1,093.75
Verizon, phone * Wright Express, fuel 4,458.04

GENERAL FUND

Above the Garage, fees 134.87 Bartak Glass, re 210.00
Beachler Enterprises, su 362.03 Bullseye Fire Sprinkler, ser 540.00
Carhart Lumber, su 4.27 Century Link, phone 44.24
Contingent Fund, misc 233.10 Emme Sand & Gravel, su 144.90
Fort Dearborn, ins 92.88 Grainger, su 483.74
Great America, lease 174.99 Holt Co. Independent, ad 132.31
Island Supply, su 84.84 KBRX, ad 30.00
Krier Technologies, ser 80.00 LaRue, su 82.82
LB840 Fund, pmt 23,470.09 Lincoln Nat'l Life, ins 166.45
Scott Menish, clean 100.00 Musil Concrete, su 2,000.00
NE Dept. of Labor, unempl 273.00 NE Support, pmt 278.76
Netcom, su 1,600.00 Ogden Hardware, su 21.48
NSVFA Fire School, fees 220.00 One Office Solution, su 677.01
Plains Equipment, su 46.25 Ranchland Auto, su 55.90
Nikki Schwanz, clean 175.00 Tonia Seretta, clean 600.00
Shad's Electric, su 614.32 Shopko, su 31.36
SiteOne, su 3,977.14 Stadium Sports, su 111.00
Wakefield & Associates, pmt 25.74 Wettlaufer Landscapes, ser 213.81

POLICE FUND

Avera St. Anthony's, tests 50.90 Century Link, phone 54.94
Jackie Collier, clean 148.00 Great America, lease 130.61
Heartland Fire Prot., ser 173.95 Holt Co. Animal Shelter, fees 840.00
Jack's Uniform, su 68.95 NDHHS, tests 315.00
One Office Solution, su 52.73 O'Neill Car Wash, fee 47.03
O'Neill Shopper, ad 57.00 Rowin Silva-Aguilar, ser 125.00
Woods & Aitken, fee 280.00

STREET FUND

Asphalt & Concrete, su 1,475.19 Carhart Lumber, su 20.99
Daimler Financial, lease 23,776.15 Holt Co. Tire, re 52.45
LaRue, su 75.65 Midwest Turf & Irrigation, su 92.27
O'Neill Electric Motor, su 8.70 Ranchland Auto, su 58.81
Rose Equipment, su 160.46 Rowse Hydraulic, su 120.00
Shopko, su 12.87 Stan Houston, su 580.00

SEWER FUND

Colonial Research, su 1,676.50 Doty Plumbing, ser 163.00

ERA, su 270.64 Fastenal, su 668.07
Gemplers, su 132.60 Hach Co., su 179.81
Heartland Fire Prot., ser 429.10 Holt Co. Independent, ad 162.00
Hutcheson, su 1,616.23 Mathison Heating, re 252.50
Midwest Lab, tests 72.00 NDEQ, fees 150.00
NE Environmental Products, su 622.31 NE Rural Water, fees 187.50
Ogden Hardware, su 13.46 One Call Concepts, hotline 40.23
One Office Solution, su 13.49 O'Neill Auto, su 12.49
Ranchland Auto, su 44.19 Schmitz Electric, ser 378.49
Seven Springs, su 16.00 Tax Commissioner, tax 2,455.48
USA Blue Book, su 788.25

WATER FUND

Carhart Lumber, su 54.22 Contingent Fund, misc 317.81
Fastenal, su 13.53 FedEx, freight 75.25
Holt Co. Independent, ad 61.14 Tax Commissioner, tax 2,114.99
Metering & Technology, su 729.46 Municipal Supply, su 503.38
NDHHS, fees 80.00 NDHHS, tests 89.00
NE Rural Water, fees 187.50 Niobrara Valley, util *
Ogden Hardware, su 8.97 One Call Concepts, hotline 40.23
One Office Solution, su 13.49 O'Neill Electric Motor, su 110.00
Quality Inn, lodging 180.00 Sargent Drilling, ser 312.50

SOLID WASTE FUND

Blain Plumbing, ser 455.00 Butler Co. Landfill, fee 29,355.91
City of O'Neill, pmt 17,500.00 Fastenal, su 131.62
First Nat'l Bank, pmt 3,138.75 Heartland Fire Prot., ser 870.05
Holt Co. Independent, ad 20.00 KBRX, ad 60.00
LaRue, su 41.41 Matheson Tri-Gas, su 24.05
NE Support, pmt 461.54 Niobrara Valley, util *
O'Neill Auto, su 94.78 Shopko, su 12.87

COMMUNITY IMPROVEMENT FUND

Baird Holm, fees 1,844.50 H&H Concrete, ser 115,335.00

LB840 FUND

KBRX, ad 7.50

THESE BILLS ARE NOT IN YET

AUDITING COMMITTEE:

BETH WALSH, WARD IV

TIM GLEASON, WARD IV

Moved by Schneider, second by Kramer to adjourn. Roll call vote as follows: All Ayes.
Motion carried.

The meeting adjourned at 8:03 P.M.

WILLIAM T.PRICE, MAYOR

ATTEST:

(SEAL)

NIKKI SCHWANZ, CITY CLERK/TREASURER
